



THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

CONFIRMATION NO.: 9803

GREG A. WESTBROOK ET. AL.

CASE NO.: FI-1064 US NA

SERIAL NO.: 09/398,234

GROUP ART UNIT: 1751

FILED: SEPTEMBER 17, 1999

EXAMINER: GREGORY E. WEBB

FOR: NON-FLAMMABLE, HIGH SOLVENCY
COMPOSITIONS COMPRISING
TRANS-1,2-DICHLOROETHYLENE,
SOLVENT, AND INERTING AGENT

RESPONSE TO SUPPLEMENTAL NOTICE OF ALLOWABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of the Examiner's most recent communication, which included a Supplemental Notice of Allowability and Interview Summary, mailed on March 2, 2004. Consistent with the requirements of 37 C.F.R. 1.133, Applicants provide herewith a statement of the reasons presented at the interview as warranting favorable action.

Applicants received an Office Action, which was mailed on January 7, 2004. The Office Action included a Notice of Allowability (PTOL-37), which was accompanied by the Examiner's "Reasons for Allowance." Applicants noticed a discrepancy in these documents with respect to the claims that the Examiner deemed allowed/allowable. Applicants also noted a typographical error in their previously filed claim amendments.

Applicants filed an amendment in response to the Office Action of April 14, 2003, which also included PTO-326 form indicating that claims 12-14 and 16 were withdrawn from consideration. Applicants' response included a statement that the amendment was made to remove inclusion of dichloropentafluoropropane from claim 1.

Applicants made a typographical error in the amendment, and as a result the embodiments which included dichloropentafluoropropane were not deleted.

The Examiner acknowledged Applicants' recorded voice mail message on February 19 or 20 by telephoning Applicants' attorney. The Examiner invited Applicants to correct the typographical errors in the amendment, but did not address the discrepancy in the allowable/allowed claims in the Office Action of January 7, 2004.

Applicants' attorney had a telephonic interview with the Examiner and the Examiner's supervisor on February 23, 2004. During the interview a request was made for Applicants to receive a Supplemental Notice of Allowability. Further, Applicants brought to the Examiner's attention the typographical error in Applicants' previously filed amendment.

During the interview, the Examiner stated that claim 16 was examined with claims 1-6 and 9-15, and was found allowable. The Examiner agreed to provide Applicants with a Supplemental Notice of Allowability, which was received by Applicants and is attached hereto. Indeed, the Supplemental Notice indicates the allowance of claim 16 also.

Consistent with the interview discussion, Applicants mailed on March 2, 2004, a request for a Supplemental Notice of Allowance. In view of the inconsistent statements in Office Action, Applicants believe that the interview warranted favorable action with respect to the issuance of the Supplemental Notice of Allowability.

Applicants desire to advance prosecution of the case. Applicants file herewith a Request for Continued Examination and entry of the attached amendment. Applicants seek to correct the typographical error in Applicants' previous amendment to claim 1; amend claim 15 to impart additional clarity; and amend claim 16 to depend from claim 15. Respectfully, Applicants request entry of the amendment under 37 C.F.R. 1.312 and examination of amended claim 16.